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P. 2.

PATENT

ATTORNEY DOCKET NO. 01997/521003

Certificate of Mailing: Date of Deposit: March 5, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Elaine Fabrizio

Printed name of person mailing correspondence

Elaine Fabrizio

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajesh Ranganathan et al.

Art Unit: 1632

Serial No.: 09/717,743

Examiner: J. Voitach

Filed: November 21, 2000

Customer No.: 21550

Title: A NOVEL SEROTONIN-GATED ANION CHANNEL

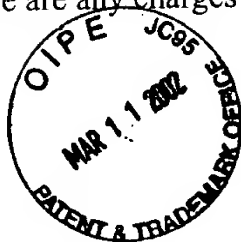
U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

STATEMENT UNDER 37 C.F.R. § 1.825(d)

In reply to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on February 13, 2002, enclosed is a substitute copy of the sequence listing in computer readable form, the contents of which are identical to that of the computer readable and paper forms filed on December 5, 2001 (a copy of the paper form is enclosed). This submission contains no new matter.

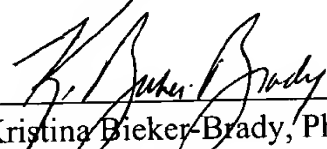
If there are any charges or any credits, please apply them to Deposit Account No.

03-2095.



Date: March 5, 2002

Respectfully submitted,

  
Kristina Bieker-Brady, Ph.D.  
Reg. No. 39,109

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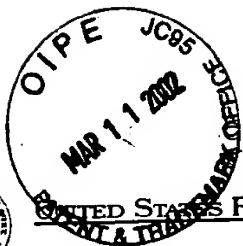
Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

01997.521003 Sequence Statement under 37 C.F.R. 1.825.wpd



21559

PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,743	11/21/2000	Rajesh Ranganathan	01997/521003	1951

7590 02/13/2002  
Kristina Bieker-Brady  
Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110

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EXAMINER

WOITACH, JOSEPH T

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 02/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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FEB 19 2002

CLARK & ELBING

ACTION DUE Notice to comply  
DUE DATE 3-13-02  
ESP 8-13-02  
INITIALS J.M.



Applicants' Copy

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/717,743	November 21, 2000	Ranganathan, R.. et al.	01997/521003

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EXAMINER	
Joseph T. Weitach	
ART UNIT	PAPER NUMBER
1632	6

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

It is noted that a Raw Sequence listing filed January 11, 2002, 2002 (certificate of mailing date is December 5, 2001), paper number 5, has been received, however the CRF was technically flawed (see attachment). Applicants are required to provide a computer readable form copy of the sequence listing, copy of the sequence listing, and a statement that the content of the paper and the computer readable copies are the same (see attached notice to comply).

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CAR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CAR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CAR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Weitach whose telephone number is (703)305-3732.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Clark, can be reached at (703)305-4051.

An inquiry of a general nature or relating to the status of the application should be directed to Patsy Zimmerman whose telephone number is (703)308-8338.

Joe Weitach  
AD 1632



Application No.: 09/717,743

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: Applicants response was incomplete. The amendment did not contain new SEQ ID NOs for the sequences recited in the claims, nor a CRF diskette.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/717,743  
Filing Date: 11/21/2000  
Date Processed by STIC: 1/27/2002

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STIC Contact: Mark Spencer, 703-308-4212

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### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

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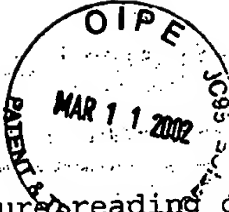
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09/7/7,743



C:\WINDOWS>A

General failure reading drive A  
Abort, Retry, Fail?

General failure reading drive A  
Abort, Retry, Fail?  
Current drive is no longer valid>

← onscreen messages when STIC PC  
tried to read submitted disk

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